

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOMBARDIER INC.,

Plaintiff,

v.

MITSUBISHI AIRCRAFT  
CORPORATION, MITSUBISHI  
AIRCRAFT CORPORATION AMERICA,  
INC., et al.,

Defendants.

2:18-cv-1543 RAJ

DECLARATION OF JERRY A.  
RIEDINGER IN SUPPORT OF  
DEFENDANT MITSUBISHI AIRCRAFT  
CORPORATION AMERICA, INC.'S  
OPPOSITION TO PLAINTIFF'S MOTION  
TO SEAL EXHIBITS A-J TO THE  
DECLARATION OF DANIEL BURNS  
AND EXHIBIT A TO THE DECLARATION  
OF DAVID TIDD IN SUPPORT OF ITS  
MOTION FOR A PRELIMINARY  
INJUNCTION

NOTED ON MOTION CALENDAR:  
November 9, 2018

Jerry A. Riedinger declares:

1. I am a partner in the law firm of Perkins Coie LLP and counsel for Defendant Mitsubishi Aircraft Corporation America, Inc. ("Mitsubishi Aircraft America") in this action. I make this declaration based on personal knowledge of the events and matters described herein.

2. I have a degree in Mechanical Engineering, awarded by Rice University in Houston, Texas, with an emphasis on fluid mechanics and aerospace technology. I hold a Private Pilot's license and am familiar with basic aeronautical and aerodynamic principles.

DECLARATION OF JERRY A. RIEDINGER IN SUPPORT OF  
DEFENDANT MITSUBISHI AIRCRAFT CORPORATION  
AMERICA, INC.'S OPP'N TO MOT. TO SEAL (NO. 18-CV-1543

121153-0002/142040359.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1           3.    The original Summons served on Mitsubishi Aircraft America was unsigned and  
2 without the Court's seal. A true and correct copy of that Summons is attached as Exhibit A.  
3 That Summons was provided to me by Mitsubishi Aircraft America's corporate secretary.  
4

5           4.    I have not yet received verification that the Summons was properly served on  
6 Mitsubishi Aircraft Corporation America, Inc. Service of an additional document on Mitsubishi  
7 Aircraft America was attempted last week, but I have not yet received that document.  
8

9           5.    Neither Perkins Coie nor Mitsubishi Aircraft America has been provided with  
10 copies of Exhibits A-J to the Declaration of Daniel Burns or Exhibit A to the Declaration of  
11 David Tidd. Counsel for Bombardier permitted two Perkins Coie lawyers representing  
12 Mitsubishi Aircraft America, myself included, to view those exhibits in their office for less than  
13 two hours. One of the conditions of allowing us to review the documents was that we could not  
14 share what we had seen or the substance of the documents with our clients, or anyone else,  
15 including the in-house attorneys for Mitsubishi Aircraft America. We were also not permitted to  
16 copy or retain any portion of the sealed documents or take notes regarding the content of the  
17 documents.  
18

19           6.    Based on my memory of the documents, Exhibit A to the Burns Declaration  
20 appears to be an approximately 60 page PowerPoint presentation made to Transport Canada.  
21 Numerous pages contained no confidential information. We have received no indication from  
22 Bombardier regarding which portions of that document are considered by Bombardier to be trade  
23 secrets.  
24

25           7.    Based on my memory, Exhibit A to the Tidd Declaration consists of an  
26 approximately 200-page document that appears to include, among other non-confidential  
27 statements, standard aerodynamic equations and generic paragraphs of descriptive verbiage of  
28 standard aerodynamic principles, as well as other non-confidential information that is not  
29 specific to Bombardier or Bombardier aircraft.  
30



**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on November 7, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

DATED this 7th day of November, 2018.

s/Mary Z. Gaston

Mary Z. Gaston, WSBA No. 27258

**Perkins Coie LLP**

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

E-mail: MGaston@perkinscoie.com

# EXHIBIT A

PSC 6008  
10-23-18

for the

**BOMBARDIER INC.**

Plaintiff(s)

V.

MITSUBISHI AIRCRAFT CORPORATION,  
MITSUBISHI AIRCRAFT CORPORATION AMERICA  
INC., AEROSPACE TESTING ENGINEERING &  
CERTIFICATION INC., et al.

Defendant(s)

Civil Action No. 2:18-cv-1543

To: *(Defendant's name and address)* Mitsubishi Aircraft Corporation America Inc.  
4951 Airport Parkway Ste 500  
Addison, TX 75001

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: John D. Denkenberger

John D. Denkenberger  
Christensen O'Connor Johnson Kindness PLLC  
1201 Third Avenue, Suite 3600  
Seattle, WA 98101-3029  
Telephone: 206.682.8100

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:18-cv-1543

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# EXHIBIT B

**Riedinger, Jerry A. (SEA)**

---

**From:** John Denkenberger <john.denkenberger@cojk.com>  
**Sent:** Friday, October 19, 2018 4:15 PM  
**To:** Riedinger, Jerry A. (SEA)  
**Subject:** Bombardier v. MITAC et al.

Jerry,

You may already be aware, but I wanted to inform you that COJK, on behalf of Bombardier, has filed suit against MITAC, MITAC America, AeroTEC, and individually named defendants today in W.D. Washington. We assume that you and Perkins Coie will be representing at least MITAC in this matter.

If that is the case, would you please identify all of the parties you are representing in this matter? Also, please let us know if MITAC will agree to waive service of process. If so, we'll provide the necessary forms and requisite copies per governing rules in short order. If MITAC will insist on formal service of process, or if you are in fact not going to be representing MITAC in this matter, we would appreciate knowing that as well so that we initiate formal service efforts.

Please let me know if you have any questions, and thank you for your attention to this matter.

Best,  
John  
Cell: 206.601.4576